

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIV.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

2008 DEC -3 PM 4:57

CLERK   
SO. DIST. OF GA.

SCOTT A. SEARS,

Petitioner,

vs.

HARLEY LAPPIN, Director,  
Bureau of Prisons,

Respondent.

CIVIL ACTION NO.: CV207-071

ORDER

After an independent review of the record, the Court concurs with the recommendation of the Magistrate Judge that Sears' petition for writ of habeas corpus should be dismissed because it is premature. Plaintiff has filed Objections to the Report and Recommendation, wherein he contends that he deserves to know in advance of participating in the RDAP whether he will qualify for early release from custody. However, as the Magistrate Judge concluded, there has been no final decision on the early release issue that Sears raises. This Court is not in the business of rendering advisory opinions or inserting itself in the internal affairs of the Bureau of Prisons or any other agency. Rather, the Court adjudicates concrete disputes between parties, and that simply is not what Sears presents at this time. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of this Court.

Plaintiff's Complaint is hereby **DISMISSED**. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 3<sup>rd</sup> day of December, 2007.

  
JUDGE, UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA